

Saguache County Board of Commissioners met in regular session Tuesday, Oct 5, 2010 with the following present:

Sam Pace, Chairman
Mike Spearman, Co-Vice Chair
Linda Joseph, Co-Vice Chair
Wendi Maez, Co-Administrator
Lyn Zimmer, Co-Administrator
Ben Gibbons, County Attorney
Melinda Myers, Secretary and Clerk to the Board

Meeting called to order by Chair Pace at 9:02 A.M.

Additions or Deletions to the Agenda.

1. Executive session for Attorney.

Joseph moved to enter into Executive Session at 9:07 A. M. for matters required to be confidential by federal or state laws or rules or regulations CRS 24-6-402(4)(c) and for legal purposes under CRS 24-6-402(4)(b) regarding Center Post Dispatch lawsuit. Spearman seconded the motion. The vote was three Ayes.

Joseph moved to return to regular session at 9:29 A.M. Spearman seconded the motion. The vote was three Ayes.

Joseph moved to approve the agenda as amended. Spearman seconded the motion. The vote was three Ayes.

Reading and approval of minutes of September 21, 2010.

Spearman moved to approve the minutes of September 21, 2010. Joseph seconded motion. The vote was three Ayes.

Review of Mail and other correspondence:

1. **USDA Forest Service** sent a letter for the availability of a Decision Notice and finding of No Significant Impact for the Final Environmental Assessment at www.fs.fed.us/r2/riogrande/projects. (9/21/10)
2. **Colorado State Forest Service** sent a letter for the 2011 County Assessment will be \$1,229 based upon bringing \$1,000,000 into the fund. If you have any questions please call 970-222-0552. (9/24/10)
3. **State of Colorado Board of Equalization** sent the Notice of Public Hearing on October 5, 2010, at 9:00a.m. in room 419, 1313 Sherman Street, Denver. (9/27/10)
4. **Rio Grande Water Conservation District** sent the September 2010 Ground Water Table Measurements. (9/27/10)

5. **Patricia Trujillo** sent a support letter encouraging the SolarReserve Solar electricity generation project in Saguache County. (9/28/10)
6. A letter of support was sent encouraging the SolarReserve Solar electricity generation project in Saguache County. (9/28/10)
7. **Henry Martinez** sent a support letter encouraging the SolarReserve Solar electricity generation project in Saguache County. (9/28/10)
8. **Angela Montoya** sent a support letter encouraging the SolarReserve Solar electricity generation project in Saguache County. (9/28/10)
9. **Michael Garcia** sent a support letter encouraging the SolarReserve Solar electricity generation project in Saguache County. (9/28/10)
10. **Marie Barela** sent a support letter encouraging the SolarReserve Solar electricity generation project in Saguache County. (9/29/10)
11. **Richard Barela** sent a support letter encouraging the SolarReserve Solar electricity generation project in Saguache County. (9/29/10)
12. **Daniel Johnson** brought in the September 2010 report for the Saguache County Fire Mitigation Program. (9/29/10)
13. **Paul Shippee** sent a letter of appreciation for the Saguache County Fire Mitigation Program. (9/29/10)
14. **Rio Grande Water Conservation District** sent the Draft-Agenda for the October 19, 2010 meeting starting at 10:00. (9/29/10)
15. **Cliff Nellis** sent an email opposing the South Colony Basin fee proposal. (9/20/10)
16. **Brad Snow** sent an email opposing the South Colony Basin fee proposal. (9/30/10)
17. **David Hoefer** sent an email opposing the South Colony Basin fee proposal. (9/30/10)
18. **Greg Schreck** sent an email opposing the South Colony Basin fee proposal. (9/26/10)
19. **John J. Faron** sent a letter in support of the Solar Reserve, Solar electricity generation project in Saguache County. (9/30/10)
20. **State of Colorado Division of Taxation** sent a Final Tax Exemption Determination for the property of Nicholas & Pansy FDN Schenck. (9/30/10)
21. **Zukie Abbott** sent a letter of appreciation for the Saguache County Fire Mitigation Program. (10/1/10)
22. **Vince & Mary Palermo** sent an email on the attempt to simplify the Tessera Noise Study Report. (10/4/10)
23. **Baca Grande POA** sent the Volume 17, Number 3 Fall 2010 Newsletter. (10/4/10)
24. **Custer County Commissioners** sent a letter in agreement to the Proposal of the United States Air Force Low Altitude Navigation. (10/4/10)
25. **Scott Phillips** sent an email opposing the South Colony Basin fee proposal. (10/4/10)
26. **Art Petraske** sent an email opposing the South Colony Basin fee proposal. (10/4/10)
27. **Pat Leahan** sent an email opposing the USA Air Force Maneuver Site. (10/4/10)

Introduction of Guests: Steve Carlson; Matie Bell Lakish – Crestone Eagle; Mary and Vince Palermo – CSI; June Savage and Ceal Smith – SLVRCA; George Whitten; Julie Sullivan; Jerry

Burton – CBPC; Richard Knox – TSNA; Kitty Benzar and Dave Scherer – WSNFC; Andrew Archuleta – BLM/USFS; Matt Hildner – Pueblo Chieftain; Adam Green – Solar Reserve and Miles Jones – Southern Co Farm.

Commissioners Reports:

Sam Pace reported:

- Sept 22 - September 22 - Attended the SLV County Commissioners Assoc. meeting in Alamosa, for Valley budget presentations.
- Sept 22 – Saguache County Partners for Prevention meeting in Saguache.
- Sept 27- Met with citizens on Tessera Solar and other issues.
- Oct 1 - State Board of Human Services in Denver.
- Oct 1 - CCI annual business meeting to finalize legislative agenda and policy statements.
- Oct 1 - Conversation with Mike Blakeman on Title II RAC meeting and proposals.

Mike Spearman reported:

- September 22 - Attended the SLV County Commissioners Assoc. meeting in Alamosa, for Valley budget presentations.
- September 22 - Attended the DRG meeting in Alamosa. Most discussion was about the COG.
- September 28 - Solar Reserve site visit and tour with Ernie Myers in Center.

Linda Joseph reported:

- September 22 - Attended the SLV County Commissioners Assoc. meeting in Alamosa, for Valley budget presentations.
- September 25 - Participated in the Homecoming Parade in Saguache.
- September 28 - Solar Reserve site visit and tour with Ernie Myers in Center.
- September 29 - Participated in the Webinar - Open Government Automation Platform: Combining process efficiency with citizen services, hosted by Carahsoft Technology Corp. a Government IT solutions provider.
- September 30 - Participated in the Webinar co-sponsored by the four local government associations: CCI, CASB, SDA, and CML on 60-61-101. Douglas County and Centennial have Informational websites on this topic.
- Submitted the Cooperating Agency comments on the BLM Solar Energy Development Programmatic Environmental Impact Study.
- Forwarded results of the Gunnison Sage Grouse listing decision, which is "Warranted, but Precluded". Oct 7 will be the next meeting of our County Working Group.
- Connected with John Canfield, GEO, on the Performance Contracting feasibility study, which found a project here is not feasible at this time. The GEO is looking at other approaches in such situations and will let us know of any options that fit.
- Reviewed Saguache Resource Advisory Council (RAC) proposals.
- Looking at whether/what DOD consultation might be needed in solar facility review.
- Worked on letters in progress:
 1. Kerber Creek project support letter - BOCC will sign as part of the Roundtable.
 2. Air Force comment letter due November 15.
 3. BLM Public Comment on overnight camping fees for Penitente Canyon and Zapata Falls Campground due December 1, 2010.
 4. South Colony Basin trail fee proposal is being revised, comments are still invited.

5. Cell service degradation letter - need County Verizon Contact; Admin will provide.
6. CCI Dues, the formula is based on population.

Wendi Maez & Lyn Zimmer – Co-administrator report:

Joseph moved to approve the MOU between Saguache County, Saguache County Community Council and CAMBIO, INC to administer the grants to expand the Center Headstart Building. Spearman seconded the motion. The vote was three Ayes.

- Mary McClure for the Center Headstart brought in a MOU to be signed by the Board to set the structure of the administration of the USDA and CDGC grant.
- Resolution to transfer funds from General Fund to Public Health in the amount of \$61,000 will be talked about during the Public Health report.
- Maez and Zimmer met with Deb Downs, DOLA and Valley Administrators on September 29th to discuss the possibility of disbanding the SLVGIS/GPS Authority Board in order for Manager Pete Magee to join the private sector. There are several issues to be discussed about this issue.
- During this same meeting with Downs the Assessor/Treasurer Grants to purchase equipment for the new software system was also discussed. It was decided that remaining grant funds would be used for the purchase of the equipment for each county except Mineral County as they did not use grant funds nor change their software system. The remaining funds in the grant will be used to purchase an upgraded server at Pueblo County with ownership to be held between Saguache County and Pueblo County.
- CCI Winter Conference registration is due.

Break

Wendi Maez - Land Use report:

- Tessera Solar has submitted their addendum documents for their final application. It needs to be decided if we are going to go with what is submitted and schedule a public hearing or how the additional information provided and not provided should be handled. Maez has a letter written and discs copies of the application ready to send to the agencies for comments as soon as we are ready for them to go out.

Spearman moved to deem the Tessera Solar application as complete and move forward in the process. Pace seconded the motion. The vote was three Ayes.

- Nancy Lauro gave her report of the Tessera Solar amended application. The size of the proposed site varied, based on the noise study data for meeting the state levels or the Saguache County Solar Guidelines. Lauro went over the areas of concern in the

application and how well Tessera has provided information to address these issues. Board took some comments from the public.

Ben Gibbons - County Attorney report:
No report

Adjourned for Lunch and at 12:07 P. M.

Resumed meeting at 1:00 P. M.

Randal Arredondo - Road & Bridge and Landfill Report:

Joseph moved to enter into Executive Session at 1:03 P. M. for Road & Bridge personnel purposes under CRS 24-6-402(4)(f)(I). Spearman seconded the motion. The vote was three Ayes.

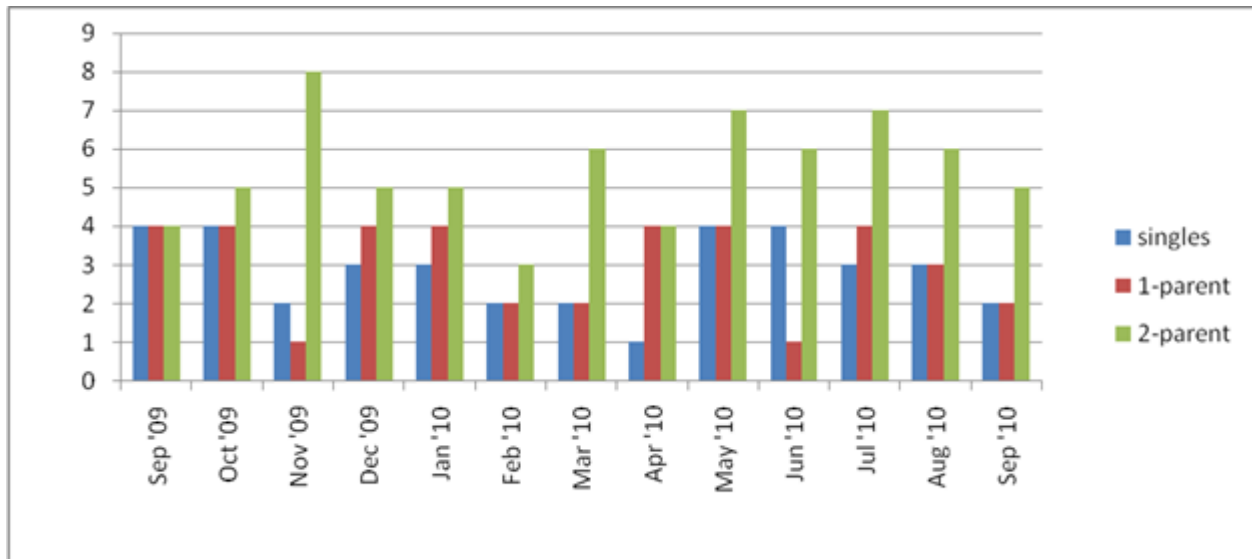
Joseph moved to return to regular session at 1:12 P. M. Spearman seconded the motion. The vote was three Ayes.

- Sent email regarding grants for tire recycling. County would have to match some funds. Arredondo will research it further. Landfill charges \$3.50/per tire except on free dump day.
- Mr. Homer Williams called and wants to know if we can move County Road 42 to be in the middle of the right of way. The issue will be turned over to Attorney Gibbons.

Joseph moved to convene as the Board of Health at 1:28 P. M. Spearman seconded the motion. The vote was three Ayes.

Della Vieira - Public Health Director

- Submission of Prevention Program Plan to BOH/BOCC for review and consideration.
- Public Health financial review, analysis, deliberations.
- Flu shots will be available for the Board from 8:30 to 11:30 on Tuesday, Oct 19 here at the courthouse.
- Food Bank summary:



- Food Bank Manager submitted her own, independent sales tax grant application for 2011. PH will continue to house the food bank, and will provide 2-3 hours once per month for pro bono bookkeeping to the Food Bank. Monies (grants, donations ,etc) will not be “deposited” into Public Health, nor will vouchers be written “from” Public Health. Food bank will contract for their own extermination services, and pay an monthly “rent” to cover partial utilities cost. All enquiries into Public Health will be passed to Food Bank Manager for her follow-up. Any time spent by Public Health staff in food bank operations will be counted as volunteer time, outside of normal working hours. In the event that the Food Bank obtains a grant, the Food Bank Manager will give her own reports to BOCC. Do we want to use Public Health time for that?
- Food bank utilization continues in a consistent trend, with the majority of recipients in two-parent families (6-7 per month). In-kind donations continue steady around \$300 for last two months. The demographic breakdown (men, women, and children) continues steady as well 12-15 men./women, 18-24 children.

Pace moved to approve the resolution to transfer \$61,000 from the General Fund to the Public Health fund. Joseph seconded the motion. The vote was three Ayes.

- Resolution to transfer funds from General Fund to Public Health in the amount of \$61,000 to cover shortfall until funds come in.

Joseph moved to adjourn the Board of Health and return to regular meeting at 1:32. Spearman seconded the motion. The vote was three Ayes.

Andrew Archuleta -USFS/BLM report:

- Planning a Big Horn Sheep transplant by helicopter. They will be trapped above Crestone and taken north to the Pike’s Peak side of Poncha Pass area.
- Nolan Gulch will be hosting a controlled burn to eliminate downed slash and brush.

- The RAC coordinator has moved and resigned. The County will send invoices to the Forest Service to be reimbursed for the payroll on that position.
- The roles of the BOCC in the RAC would be bringing ideas to the table, but there is no clearly defined role for Commissioners in RAC projects. More proposals were turned in than there is more money to give out. The Board wants to give more points to proposals that increase economic development.
- New fees are being proposed for the South Colony Basin trails, and many public comments are being received. Archuleta suggests the Board send in their comments soon on the current proposal.

Jenny Nehring and Elinor Laurie – Gunnison Sage Grouse Working Group:

- The Gunnison Sage Grouse has been relisted for consideration as a candidate for the Endangered Species List, as "Warranted, but precluded.
- There are 7 leks in western Saguache County, which are considered part of the Gunnison Basin population. Data indicates there is some expansion of that population.
- The group on Poncha Pass is in decline.
- There will be a public meeting of the Saguache County GSG Working Group at the Villa Grove Trade at October 7 at 1:00 pm.

Kitty Benzar and Dave Sure - Western Slope No Fee Collation:

- Brought a report and public comment spreadsheet for the proposed South Colony Basin Fee Proposal. The Board will review the proposed resolution to oppose the fees.

Break

Solar Reserve 1041

- Preliminary permit discussion. Solar Reserve's 1041 Preliminary Application written comments were discussed. The comments will need to be submitted to Solar Reserve by next Thursday October 14th. Solar Reserve representatives will be at the meeting also. Maez has received a box full of support letters (211) concerning the Solar Reserve project. The letters are identical with different signatures on each.

Bill Paying

<p>Joseph moved to adjourn at 3:57 P.M. Spearman seconded the motion. The vote was three Ayes.</p>

Respectfully Submitted,

Melinda Myers Secretary to the Board of County Commissioners

Minutes Approved October 12, 2010

Chairman of the Board

Attest

Commissioner

Commissioner